

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVIE LEE BOSTON,

Plaintiff,

v.

JOHN DOE, *et al.*,

Defendants.

Case No. 2:22-cv-00655-JDP (PC)

FINDINGS AND RECOMMENDATIONS
THAT THIS ACTION BE DISMISSED FOR
FAILURE TO PROSECUTE, FAILURE TO
COMPLY WITH COURT ORDERS, AND
FAILURE TO STATE A CLAIM

OBJECTIONS DUE WITHIN FOURTEEN
DAYS

On April 22, 2022, I ordered plaintiff to submit, within thirty days, either the \$402 filing fee or an application to proceed *in forma pauperis*. ECF No. 7. Plaintiff failed to respond to that order. Accordingly, on June 1, 2022, I ordered him to show cause within twenty-one days why this action should not be dismissed for failure to pay the filing fee, failure to prosecute, and failure to comply with court orders. ECF No. 8. I notified him that if he wished to continue with this action he must, within twenty-one days, pay the filing fee or submit an application for leave to proceed *in forma pauperis*. I also warned him that failure to comply with the order would result in a recommendation that this action be dismissed. *Id.*

The deadline has passed, and plaintiff has not paid the filing fee or otherwise responded to the June 1, 2022 order. Accordingly, it is hereby ORDERED that the Clerk of Court randomly assign a United States District Judge to this case.

1 Further, it is hereby RECOMMENDED that:

- 2 1. This action be dismissed for failure to pay the filing fee, failure to prosecute, and
3 failure to comply with court orders.
- 4 2. The Clerk of Court be directed to close the case.

5 I submit these findings and recommendations to the district judge under 28 U.S.C.
6 § 636(b)(1)(B) and Rule 304 of the Local Rules of Practice for the United States District Court,
7 Eastern District of California. The parties may, within 14 days of the service of the findings and
8 recommendations, file written objections to the findings and recommendations with the court.
9 Such objections should be captioned “Objections to Magistrate Judge’s Findings and
10 Recommendations.” The district judge will review the findings and recommendations under 28
11 U.S.C. § 636(b)(1)(C).

12 IT IS SO ORDERED.

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14 Dated: July 11, 2022


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16 JEREMY D. PETERSON
17 UNITED STATES MAGISTRATE JUDGE

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